## Wetlands Bureau Decision Report

Decisions Taken 11/17/2003 to 11/21/2003

#### **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

#### **APPEAL:**

- I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:
  - 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
  - 2) provide new evidence or information to support the requested action;
  - 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
  - 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.
- II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:
  - 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
  - 2) contain a detailed description of the land involved in the department's decision; and
  - 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

Decision Report For Actions Taken

11/17/2003 to 11/21/2003

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#### MAJOR IMPACT PROJECT

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#### 1998-00539 SOMERSWORTH, CITY OF

**SOMERSWORTH Unnamed Wetland** 

#### Requested Action:

Request for permit amendment to fill approximately 15,031 square feet of isolated scrub-shrub and emergent wetlands for construction of fairways #5 and #6. Eliminate approximately 7,474 square feet of previously authorized wetlands fill for fairway construction and 60 square feet of previously authorized wetlands fill for boardwalk construction. Modify the boundaries of Conservation Parcels #1 and #2 and preserve approximately 7.75 acres of additional land on-site, and construct approximately 20,132 square feet of scrub-shrub and emergent wetlands.

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#### Conservation Commission/Staff Comments:

In a report received by the DES Wetlands Bureau on September 10, 2003, the Somersworth Conservation Commission recommended issuance of the permit amendment. The Conservation Commission also requested that exceptional care be taken during removal and replanting/re-establishment of the scrub-shrub vegetation from fairway #6.

Inspection Date: 01/13/1999 by Gino E Infascelli

#### APPROVE AMENDMENT:

Dredge approximately 100,556 square feet within forested wetlands to construct two ponds, and fill approximately 32,581 square feet of forested, scrub-shrub and emergent wetlands to construct fairways and boardwalks, install culverts at pond outlets and provide access to an 18-hole golf course on 288 acres. Preserve via conservation easement approximately 75.7 acres, and construct approximately 3.49 acres of scrub-shrub and emergent wetlands on site.

- 1. All work shall be in accordance with the Proposed Revisions Plan (Sheet 1 of 2) and the Detail of Proposed Fill Areas and Constructed Wetlands (Sheet 2 of 2), hereafter referred to as the "approved plans", by Connecticut Valley Environmental Services, Inc. dated September 1, 2003, as received by the Department on September 8, 2003.
- 2. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands Bureau.
- 3. This permit is contingent on an amended approval by the DES Site Specific Program.
- 4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically permitted.
- 5. Orange construction fencing shall be placed at the limits of construction where the area is within 20 feet of a wetland or conservation easement area until the area is stabilized.
- 6. Appropriate siltation/erosion/turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
- 7. Tree clearing in wetlands shall be conducted during frozen conditions, dry conditions or on mats to prevent rutting.
- 8. Tree clearing in wetlands does not include the removal of stumps, except in wetland dredge or fill areas as depicted on the approved plans.
- 9. Prior to construction, the wetlands on the property shall be clearly flagged by a certified wetland scientist, as certified by the NH Board of Natural Scientists. Wetland flagging shall be maintained during construction.
- 10. Existing shrubs, such as highbush blueberry, dredged from wetland areas shall be utilized in the plantings for the constructed wetlands surrounding the pond areas.
- 11. Wetlands impacts associated with boardwalk construction shall be limited to the installation of supports and shall have 1.5 inches of space per linear foot between decking and the decking over the wetlands shall be 3 feet above the ground surface.
- 12. Wetland areas cut and maintained as low shrubs for sighting on fairways shall be cut and maintained by hand and without the use of herbicides.
- 13. Proper headwalls shall be constructed within seven days of culvert installation.
- 14. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
- 15. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners.

- 16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

#### Upland Buffer and Wetland Preservation:

- 19. This permit is contingent upon the execution of a conservation easement on approximately 75.71 acres, as depicted on the Proposed Revisions Plan (Sheet 1 of 2) by Connecticut Valley Environmental Services, Inc. dated September 1, 2003, as received by the Department on September 8, 2003.
- 20. The conservation easements placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
- 21. Draft conservation easement language shall be submitted to the DES Wetlands Bureau for review and approval prior to any construction in areas added as a result of this amended permit.
- 22. The plan noting the conservation easement areas with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to any construction in areas added as a result of this amended permit.
- 23. The applicant shall prepare a report summarizing existing conditions within the conservation areas. Said report shall contain photographic documentation of the easement areas, and shall be submitted to the DES Wetlands Bureau and the grantee prior to any construction in areas added as a result of this amended permit to serve as a baseline for future monitoring of the easement areas.
- 24. The conservation easement area boundaries on the property shall be surveyed and clearly flagged prior to any further tree cutting.
- 25. The conservation easement areas shall be marked by stakes and signs indicating the location of and restrictions on the conservation easement areas prior to any construction in areas added as a result of this amended permit. Signs shall be posted no greater than every 150 feet along the boundaries of the conservation easement areas.
- 26. The DES Wetlands Bureau shall be notified in writing within 48 hours after completion of the placement of the conservation easement signs to coordinate on-site review of their location.
- 27. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
- 28. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

#### Wetland Construction:

29. This permit is contingent upon the construction of 151,981 square feet of scrub-shrub and emergent wetlands and the additional open water areas, as depicted on the

Proposed Revisions Plan (Sheet 1 of 2) by Connecticut Valley Environmental Services, Inc. dated September 1, 2003, as received by the Department on September 8, 2003.

- 30. Details of the wetland construction areas, including existing and proposed topography, and a planting plan, including species type, size, quantity and spacing, shall be submitted to the DES Wetlands Bureau for review and approval prior to any construction in areas added as a result of this amended permit.
- 31. The schedule for wetland construction shall coincide with site development.
- 32. The wetland construction areas shall be preserved from future development.
- 33. Wetland construction areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
- 34. The applicant shall designate a qualified professional who shall have the responsibility of assuring that the wetland construction areas are constructed in accordance with the approved plans, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The DES Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.

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- 35. Wetland construction areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
- 36. The applicant shall conduct a follow-up inspection after the first growing season, to review the success of the wetland construction areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each wetlands construction area.
- 37. Site monitoring shall include a plan for removing invasive species.
- 38. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland construction site. In other areas the applicant considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
- 39. The applicant shall attempt to control invasive, weedy species such as purple loosestrife (Lythrum salicaria) and common reed (Phragmites australis) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

#### With Findings:

- 1. Amended project activities will result in approximately 15,031 square feet of additional fill in wetlands. The applicant is, however, proposing to eliminate approximately 7,534 square feet of previously authorized wetlands fill. Therefore, the proposed amendment will result in a net increase of 7,497 square feet of wetlands impacts.
- 2. The applicant has demonstrated that approximately 15,031 square feet of additional fill within isolated scrub-shrub and emergent wetlands is necessary to improve the playability of golf holes #5 and #6.
- 3. The applicant is proposing to modify the boundaries of the conservation easement areas and amend the language of the Declaration of Conservation Covenants recorded at the Strafford County Registry of Deeds on May 15, 2003. Modifications to the conservation easement area boundaries will enable the applicant to construct an irrigation pond at the northernmost portion of the site, improve the playability of the course, facilitate access to the course and adjacent lots, and protect an additional 7.57 acres located at the southwest portion of the site.
- 4. To compensate for additional wetlands impacts, the applicant is proposing to preserve via conservation easement approximately 7.75 acres of additional land on-site, and construct approximately 20,132 square feet of additional scrub-shrub and emergent wetlands. The overall wetlands mitigation package, which includes approximately 75.7 acres of upland buffer and wetlands preservation and approximately 3.49 acres of scrub-shrub and emergent wetlands construction, exceeds the ratios described in the DES Wetlands Bureau's Draft Wetlands Compensatory Mitigation Rules.
- 5. In a report received by the DES Wetlands Bureau on September 10, 2003, the Somersworth Conservation Commission recommended issuance of the permit amendment.
- 6. File No. 2003-02027, which detailed the proposed project amendments, was closed by the DES Wetlands Bureau on November 10, 2003 and combined with existing File No. 1998-0539 to
- reduce duplication and facilitate the permitting process. In addition, the expiration date of Wetlands and Non-Site Specific Permit No. 1998-0539 was extended one year, until December 6, 2005, to allow the applicant sufficient time to complete project construction.

#### 2000-01384 ESKER INVESTMENTS CORP

#### **ALTON Unnamed Stream**

## Requested Action:

Fill approximately 10,631 square feet in forested wetlands and in the banks and bed of an unnamed perennial tributary to Coffin Brook to construct a roadway and driveways accessing a 19-lot subdivision of approximately 60 acres. Mitigation for permanent jurisdictional impacts shall include: Preservation via the donation of approximately 25.44 acres of land adjacent to the Merrymeeting Marsh to NH Fish and Game and the permanent protection of a 50 ft buffer centered on the unnamed perennial tributary to Coffin Brook.

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#### Conservation Commission/Staff Comments:

Conservation Commission has provided written comments on this file expressing significant concerns.

11/24/2003

Inspection Date: 10/27/2000 by John J St. John Inspection Date: 05/21/2001 by Peter J Walker

#### APPROVE AMENDMENT:

Fill approximately 10,631 square feet in forested wetlands and in the banks and bed of an unnamed perennial tributary to Coffin Brook to construct a roadway and driveways accessing a 19-lot subdivision of approximately 60 acres. Mitigation for permanent jurisdictional impacts shall include: Preservation via the donation of approximately 25.44 acres of land adjacent to the Merrymeeting Marsh to NH Fish and Game and the permanent protection of a 50 ft buffer centered on the unnamed perennial tributary to Coffin Brook.

- 1. All work shall be in accordance with subdivision plans by Bow Mills Land Management last revised on October 30, 2001, as received by the Department on November 5 and December 5, 2001, and the roadway design by Moser Engineer last revised on August 25, 2003, and received by the Department on September 2, 2003.
- 2. All in stream work shall be in accordance with the final stream diversion/erosion control construction sequence received on October 15, 2003.
- 3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
- 4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
- 5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
- 6. Work shall be done during annual low flow conditions and work within cold water fisheries shall occur during the months of May through September. No in-stream work in cold water fisheries shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
- 7. A post-construction report documenting the status of crossing locations shall be submitted to the Wetlands Bureau and the Alton Conservation Commission within 60 days of the completion of stream crossings.
- 8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
- 10. This permit is contingent on approval by the DES Site Specific Program.
- 11. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 12. This permit is contingent upon the donation of approximately 25.44 acres of land adjacent to the Merrymeeting Marsh, identified as Lot 40 on the approved plans, and sale of an additional 9.44 acres of land, identified as Lots 40-14, 15, and 16 on the approved plans, to the NH Department of Fish and Game. These parcels shall be forever maintained in their natural state and shall be protected from any future development.
- 13. This permit is further contingent upon the permanent protection of a 50 ft buffer centered on the unnamed perennial tributary to Coffin Brook ("the stream buffer area") as depicted on subdivision plans received on November 5 and December 5, 2001.
- 14. Draft conservation easement or deed restriction language to be applied to the stream buffer area shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval prior to the commencement of any further work within jurisdiction.
- 15. The conservation easements and/or deed restriction to be placed on the stream buffer areas shall be written to run with the land, and both existing and future property owners shall be subject to these restrictions.
- 16. The plan noting the conservation easement and/or deed restrictions with a copy of the final easement/restriction language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.
- 17. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).
- 18. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
- 19. All in-stream work shall be conducted in a manner so as to minimize the duration of construction in the watercourse. The DES Wetlands Bureau shall be notified in writing where in-stream construction exceeds 48 continuous hours.
- 20. The Permitee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
- 21. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a

cofferdam is fully effective, confined work can proceed without restriction.

22. Prior to installing a structure within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

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- 23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 24. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. Dewatering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trench dewatering discharged within one-hundred (100) feet of any water body shall be discharged through a filter bag.
- 25. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 26. Construction equipment shall not be located within surface waters.
- 27. Temporary cofferdams shall be entirely removed immediately following construction.
- 28. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
- 29. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 30. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
- 31. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 32. Proper headwalls shall be constructed within seven days of culvert installation.
- 33. Culvert outlets shall be properly rip rapped.
- 34. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 35. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 36. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 37. Silt fencing must be removed once the area is stabilized.
- 38. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

#### With Findings:

The Bureau Reaffirms Findings 1-8 of the original approval:

- 1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 feet in the aggregate of stream channel resource.
- 2. DES Staff conducted field inspections of the proposed project on October 27, 2000 and May 14, 2001. Field inspection determined that wetland boundaries flagged on the site were substantially accurate, although some adjustments were made in the field and on revised project plans.
- 3. Additionally, site inspection found that wetland impacts proposed as part of this development plan are to resources of moderate value. No impacts are proposed to the highest value wetlands on the northern portion of the property. These high value wetlands are contiguous with the Merrymeeting Marsh and are a portion of a regionally-significant wetland system.
- 4. Public hearing for the proposed project was held on September 24, 2001. During the public hearing representatives of the Alton Conservation Commission testified as to their opposition to the project, citing concerns about the avoidance and minimization of wetland impacts as their principal concern.
- 5. With regard to avoidance and minimization, the Department finds that the wetland impacts could only be reduced by a complete redesign of the subdivision and access road such as abandoning the proposed loop road layout in favor of a cul-de-sac design.
- 6. At the request of the Department, the applicant requested the opinion of the Alton Planning Board on cul-de-sac vs. loop road alternatives. At their meeting of October 9, 2001, the consensus of the Planning Board was to agree to the loop road design and give no further consideration to a cul-de-sac design.
- 7. In accordance with the terms of this permit, the applicant will donate approximately 25.4 acres of regionally-significant marshland to the NH Department of Fish and Game, which mitigates to some degree the adverse impacts arising from the project.

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- 8. Additionally, the NH Fish and Game Department will purchase 9.44 acres of land from the applicant which will further buffer this subdivision development from the Merrymeeting Marsh. and adds the additional findings:
- 9. The applicant has made a good faith attempt to stabilize the site based on site inspection by DES Compliance Personnel on October 28, 2003.
- 10. The conservation commission accepts the box culverts.

#### 2001-00514 LEVINE, HERBERT

**DOVER** Little Bay

Requested Action:

Change name to James & Diana Yeames to impact 3,000 sq. ft. of the shoreline to install 150 linear ft. of rip rap seawall. \*\*\*\*\*\*\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. comments have been incorporated into permit conditions.

Inspection Date: 06/06/2001 by David A Price

APPROVE NAME CHANGE:

Change name to James & Diana Yeames to impact 3,000 sq. ft. of the shoreline to install 150 linear ft. of rip rap seawall.

-Send to Governor and Executive Council-

#### NSTS DEVELOPMENT C/O D & S BUILDERS 2001-00653

**ALTON** Lake Winnipesaukee

Requested Action:

Amend Permit #2001-00653, approved on April 5, 2002, to include a reconfigured breakwater and docking structure. \*\*\*\*\*\*\*\*\*\*\*

Conservation Commission/Staff Comments:

No CC comments recieved.

#### APPROVE AMENDMENT:

Amend permit to read:

Fill 2,800 sq ft to construct 47 linear ft breakwater, in a dogleg configuration, with a 12 ft gap at the shoreline, and a 4 ft x 35 ft cantilevered pier connected to a 6 ft x 58 ft crib supported wharf by a 4 ft x 19 ft walkway accessed by a 4 ft x 10 ft walkway on an average of 160 ft of frontage on Rum Point, Lake Winnipesaukee.

- 1. All work shall be in accordance with plans by Lakeshore Construction revised March 14, 2002, as received by the Department on March 19, 2002 and cross sections dated April 12, 2001, as received by the Department on April 18, 2001.
- 2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

- 6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
- 7. No portion of breakwater as measured at normal full lake shall extend more than 30 feet from normal full lake shoreline.
- 8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
- 9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
- 10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
- 11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
- 12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
- 13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
- 14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Added Conditions:

- 15. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated October 8, 2003, as received by the Department on October 29, 2003.
- 16. 7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.

#### With Findings:

- 1. The applicant has requested to amend the existing permit to include an additional boat slip and reconfigure the breakwater and docking structure.
- 2. This project is classified as a major project per Rule Wt 303.02(j), construction of a Breakwater.
- 3. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
- 4. The applicant has an average of 160 feet of frontage along Lake Winnipesaukee, in Alton.
- 5. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
- 6. The proposed docking facility will provide 3 slips as defined per Rule Wt 101.07, Boatslip, and therefore meets Rule Wt 402.14.
- 7. Public hearing is waived based on field inspection, by NH DES staff, on August 1, 2001 with the finding that the project impacts will not significantly impair the resources of Lake Winnipesaukee.
- 8. Field inspection on August 1, 2001 found no evidence of sand migration along this shoreline.
- 9. This frontage is not suited to the movement or storage of construction materials in or over the bank.

-Send to Governor and Executive Council-

#### 2002-02264 PSNH

#### PORTSMOUTH Piscataqua River

#### Requested Action:

Amend permit to read: Stabilize 53,000 square feet of eroded shoreline along the Piscataqua River using Class C rock riprap.

#### Conservation Commission/Staff Comments:

Portsmouth Conservation Commission approved the project in a letter to the Department dated 11/15/2002.

#### APPROVE AMENDMENT:

Amend permit to read: Stabilize 53,000 square feet of eroded shoreline along the Piscataqua River using Class C rock riprap.

#### With Conditions:

1. REVISED CONDITION: All work shall be in accordance with plans by Public Service of New Hampshire dated 12/13/2002, as received by the Department on 12/16/2002, and plans showing the additional areas by Public Service of New Hampshire dated

11/24/2003

Octber 1, 1992, with revisions by Felicia Giordano dated November 12, 2003, as received by the Department on November 12, 2003.

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-Send to Governor and Executive Council-

#### 2003-00194 PORTSMOUTH, CITY OF

#### PORTSMOUTH Piscataqua River

#### Requested Action:

Revise permit to read: to impact 8,640 square feet of tidal waters between the highest observable tide line and the mean high tide line at four (4) locations for shoreline stabilization using stone fill with a minimum size of six inches, and impact 23,790 square feet of the upland tidal buffer zone for the installation of one (1) culvert and associated level spreader system, and the construction of 5-foot wide stone dust trails, four (4) overlook/access points, the installation of guardrail and informational signs, and the repaving, curbing, and marking of the handicapped parking spaces in the parking lot. Project impacts total 32,430 square feet within tidal waters and the upland tidal buffer zone.

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Inspection Date: 04/01/2003 by Christina Altimari

#### APPROVE AMENDMENT:

Revise permit to read: to impact 8,640 square feet of tidal waters between the highest observable tide line and the mean high tide line at four (4) locations for shoreline stabilization using stone fill with a minimum size of six inches, and impact 23,790 square feet of the upland tidal buffer zone for the installation of one (1) culvert and associated level spreader system, and the construction of 5-foot wide stone dust trails, four (4) overlook/access points, the installation of guardrail and informational signs, and the repaving, curbing, and marking of the handicapped parking spaces in the parking lot. Project impacts total 32,430 square feet within tidal waters and the upland tidal buffer zone.

#### With Conditions:

1. REVISED CONDITON: All work shall be in accordance with plans by Oak Point Associates; sitework plans dated February 12, 2003, with revisions dated November 19, 2003, and received by DES on November 20, 2003; erosion control plans dated February 12, 2002, with revisions dated March 5, 2003, and received by DES on May 14, 2003; landscape plans dated May 9, 2003, and received by DES on May 14, 2003; shoreline stabilization plans dated January 10, 2003, with revisions dated June 2, 2003, and received by DES on June 4, 2003; and shoreline stabilization plan for the pool area (Sheet SK-C1) dated October 1, 2003, and received by the department on October 1, 2003.

#### 2003-00239 NH DEPT OF TRANSPORTATION

#### WOLFEBORO Ryefield Brook

#### Requested Action:

Replace bridge deck, install bridge and approach rail and install class A and B stone on slopes to repair the structure and provide safer approaches impacting a total of 1,490 sq. ft. of stream/ Prime Wetland and lake.

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Inspection Date: 04/24/2003 by Gino E Infascelli

#### APPROVE PERMIT:

Waive Rule Wt 704.01, which requires a 28-day notification of decision to the municipality, as the Town of Wolfeboro Conservation Commission has recommended approval of the project to:

Replace bridge deck, install bridge and approach rail and install class A and B stone on slopes to repair the structure and provide safer approaches impacting a total of 1,490 sq. ft. of stream/ Prime Wetland and lake. NHDOT project #99043S.

#### With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance received by the Department on February 7, 2003.

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- 2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
- 3. Construction equipment shall not be located within surface waters.
- 4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- 8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
- 9. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
- 10. Work shall be during low flow and drawdown.
- 11. This permit is contingent upon following the construction sequence submitted with the application.
- 12. The stone is limited to that which is absolutely necessary.
- 13. The area limits will be staked in the field prior to construction.
- 14. The file shall receive written notice of the start date to allow inspection of the project during construction.

#### With Findings:

- 1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15 and Rule Wt 303.02(n) fill in public waters for the purposes of making land.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence, which demonstrates that, the project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The wetland areas to be impacted are limited to areas for repairs to the bridge, widening the shoulders for the installation of approach rails and the placement of stone to stabilize the new slopes. The proposed work will provide increased safety to the general public.
- 6. The engineering plans accurately locate the boundary of the wetlands and prime wetlands.
- 7. The erosion controls, and stabilization methods will protect the ability of the wetlands to retain floodwaters and silt.
- 8. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, and conditions of the permit offsets the limited impacts from the stone placed for stabilization of the roadway banks.
- 9. Based on the inspection conducted on April 24, 2003 by the DES Wetlands Bureau, the project involves minor environmental impacts.
- 10. On February 20, 2003, the DES received a letter from the Town of Wolfeboro Conservation Commission noting no objection to the project.
- 11. On October 28, 2003 the DOT provided information indicating that the amount of stone to be placed in public water will be the minimum amount necessary to accommodate stabilization of the shoulders.
- 12. A public hearing was held on November 13, 2003.
- 13. Based on findings #1-11 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

2003-00709 KYRIAZIS, ANDREW

**HAMPTON** Tidal Buffer

Decision Report For Actions Taken

11/17/2003 to 11/21/2003

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#### Requested Action:

Amend permit to read: impact 1,344 square feet tidal buffer zone for the removal of two (2) nonconforming structures and the construction of one (1) more nearly conforming residential structure, and remove 1,170 square feet of pre-jurisdictional fill and restore the area to natural salt marsh conditions. Impacts for the proposed project total 2,514 square feet within the tidal buffer zone.

11/24/2003

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Inspection Date: 05/22/2003 by Christina Altimari

#### APPROVE AMENDMENT:

Amend permit to read: impact 1,344 square feet tidal buffer zone for the removal of two (2) nonconforming structures and the construction of one (1) more nearly conforming residential structure, and remove 1,170 square feet of pre-jurisdictional fill and restore the area to natural salt marsh conditions. Impacts for the proposed project total 2,514 square feet within the tidal buffer zone.

#### 2003-02180 KOELLMER, DREW & NATALIE

**DOVER Bellamy River** 

#### Requested Action:

Construct two 6 ft. x 6 ft. landings to be connected by stairs, leading to a 3 ft. x 36 ft. ramp and two floats measuring 4 ft. x 40 ft. and 10 ft. x 20 ft. to be arranged in a T-shape, on approximately 103 feet of frontage along the Bellamy River in Dover.

Inspection Date: 11/20/2003 by Christina Altimari

#### APPROVE PERMIT:

Construct two 6 ft. x 6 ft. landings to be connected by stairs, leading to a 3 ft. x 36 ft. ramp and two floats measuring 4 ft. x 40 ft. and 10 ft. x 20 ft. to be arranged in a T-shape, on approximately 103 feet of frontage along the Bellamy River in Dover.

#### With Conditions:

- 1. All work shall be in accordance with plans by Pickering Marine Corporation dated September 19, 2003, with revisions dated November 5, 2003, as received by the Department on November 6, 2003.
- 2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
- 3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
- 4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
- 6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
- 7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
- 8. Work shall be done during low tide.
- 9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

- 1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
- 2. Public hearing is waived based on DES staff field inspection on November 13, 2003 with the finding that the project impacts will not significantly impair the resources of this tidal river.
- 3. The Pease Development Authority Division of Ports and Harbors has reviewed the plans and determined that the proposed

dock does not impede navigation.

4. This dock is consistent with other tidal dock approvals in the seacoast region.

#### 2003-02189 SAMOSET AT WINNIPESAUKEE, SAMOSET OWNERS ASSOC.

## GILFORD Lake Winnipesaukee

#### Requested Action:

Replenish an existing 3300 sq ft beach with 30 cu yds of sand on an average of 840 ft of frontage on Lake Winnipesaukee.

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#### Conservation Commission/Staff Comments:

Con. Com. requested site visit.

Site visit revealed erosion problems associated with beach.

Applicant has addressed erosion problems.

#### APPROVE PERMIT:

Replenish an existing 3300 sq ft beach with 30 cu yds of sand on an average of 840 ft of frontage on Lake Winnipesaukee.

#### With Conditions:

- 1. All work shall be in accordance with plans by Belknap Landscape Co., Inc. dated September 23, 2003, revised on November 4, 2003, as received by the Department on November 6, 2003.
- 2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 4. This permit is contingent on the approved drainage plan by Belknap Landscape Co. Inc., dated November 4, 2003, to prevent further erosion of the existing beach area.
- 5. No more than 30 cu yd of sand may be used and all sand shall be located above the normal high water line.
- 6. This permit shall be used only once, and does not allow for annual beach replenishment.
- 7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

- 1. This is a major impact project per Administrative Rule Wt 303.02(o), replenishment of a beach that does not meet the criteria for minimum impact under Wt 303.04(d) or minor impact under Wt 303.03(f).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
- 5. DES Staff conducted a field inspection of the proposed project on October 30, 2003. Field inspection determined there was erosion control problems associated with the perched beach.
- 6. The applicant submitted a drainage plan, received by DES on November 6, 2003 designed to prevent further erosion to the existing beach.
- 7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system with appropriate erosion control measures.

#### 2003-02254 **CROCKETT, BRUCE** PORTSMOUTH Sagamore Creek

Requested Action:

Decision Report For Actions Taken

11/17/2003 to 11/21/2003

7/2002 to 11/21/2002

Construct a 4 ft x 30 ft pier supported by pilings leading to a 3 ft. x 30 ft. ramp and a 10 ft. x 20 ft. float, on approximately 195 feet of frontage along the Sagamore Creek in Portsmouth.

\*\*\*\*\*\*\*\*\*\*

Inspection Date: 11/20/2003 by Christina Altimari

#### APPROVE PERMIT:

Construct a 4 ft x 30 ft pier supported by pilings leading to a 3 ft. x 30 ft. ramp and a 10 ft. x 20 ft. float, on approximately 195 feet of frontage along the Sagamore Creek in Portsmouth.

#### With Conditions:

- 1. All work shall be in accordance with plans by Pickering Marine Corporation dated September 26, 2003, as received by the Department on October 6, 2003.
- 2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
- 3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
- 4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
- 6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
- 7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
- 8. Work shall be done during low tide.
- 9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

#### With Findings:

- 1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
- 2. Public hearing is waived based on DES staff field inspection on November 20, 2003 with the finding that the project impacts will not significantly impair the resources of this tidal river.
- 3. The Pease Development Authority Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
- 4. NH Natural Heritage Inventory (NHNHI) has one record of a natural community of special concern within the project limits, Gulf of Maine Saltmarsh.
- 5. DES finds that the proposed pier has been designed to be elevated so as to avoid shading and any other negative environmental impacts to the existing salt marsh vegetation.
- 6. This dock is consistent with other tidal dock approvals in the seacoast region.

#### **2003-02255 ALBERTSON, DON**

#### PORTSMOUTH Sagamore Creek

#### Requested Action:

Construct a 6 ft x 20 ft pier supported by pilings leading to a 3 ft. x 40 ft. ramp and a 10 ft. x 20 ft. float, on approximately 267 feet of frontage along the Sagamore Creek in Portsmouth.

\*\*\*\*\*\*\*\*\*\*

Inspection Date: 11/20/2003 by Christina Altimari

#### APPROVE PERMIT:

Construct a 6 ft x 20 ft pier supported by pilings leading to a 3 ft. x 40 ft. ramp and a 10 ft. x 20 ft. float, on approximately 267 feet

of frontage along the Sagamore Creek in Portsmouth.

#### With Conditions:

- 1. All work shall be in accordance with plans by Pickering Marine Corporation dated September 26, 2003, as received by the Department on October 6, 2003.
- 2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
- 3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
- 4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
- 6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
- 7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
- 8. Work shall be done during low tide.
- 9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

#### With Findings:

- 1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
- 2. Public hearing is waived based on DES staff field inspection on November 20, 2003 with the finding that the project impacts will not significantly impair the resources of this tidal river.
- 3. The Pease Development Authority Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
- 4. NH Natural Heritage Inventory (NHNHI) has one record of a natural community of special concern within the project limits, Gulf of Maine Saltmarsh.
- 5. DES finds that the proposed pier has been designed to be elevated so as to avoid shading and any other negative environmental impacts to the existing salt marsh vegetation.
- 6. This dock is consistent with other tidal dock approvals in the seacoast region.

#### MINOR IMPACT PROJECT

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## 2002-01000 PARKER, JOHN JACKSON

**ALTON** Lake Winnipesaukee

Requested Action:

Amend permit to include two 3 piling ice clusters and two tie off pilings.

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Conservation Commission/Staff Comments:

Con Com has no objections

#### APPROVE AMENDMENT:

Amend permit to read: Construct two 6 ft by 30 ft permanent piling supported docks connected by a 4 ft by 11 ft 11 in walkway, construct two 3 piling ice clusters at the end of the docks and install two tie off pilings 12 ft from the northern dock on Lake Winnipesaukee, Alton.

#### With Conditions:

1. All work shall be in accordance with plans by Winnipesaukee Marine Construction revision dated May 13, 2003, as received by the Department on November 19, 2003.

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- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 4. This permit does not allow for any dredging.
- 5. The minimum clear spacing between pile bents shall be 12 feet.
- 6. The dock shall not extend more than 30 ft lakeward from full lake elevation of 504.32
- 7. The tie off piles shall be no more than 12 ft from the northern dock.
- 8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

- 1. This is a minor impact project per Administrative Rule Wt 303.03(d).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

#### 2003-00172 NH DEPT OF TRANSPORTATION

#### WOLFEBORO Clay Pit Brook

#### Requested Action:

Replace bridge deck, install bridge and approach rail and install stone protection at the four quadrants (19 cubic yards) impacting a total of 1,260 sq. ft. of stream, lake and banks (450 sq. ft. temporarily).

\*\*\*\*\*\*\*\*\*\*\*

Inspection Date: 04/24/2003 by Gino E Infascelli

#### APPROVE PERMIT:

Replace bridge deck, install bridge and approach rail and install stone protection at the four quadrants (19 cubic yards) impacting a total of 1,260 sq. ft. of stream, lake and banks (450 sq. ft. temporarily). NHDOT project #99047S.

- 1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance received by the Department on February
- 7, 2003 and as amended per memo dated and received on November 14, 2003.
- 2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
- 3. Construction equipment shall not be located within surface waters.
- 4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- 8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

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- 9. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
- 10. Work shall be during low flow and drawdown.
- 11. This permit is contingent upon following the construction sequence submitted with the application.
- 12. The stone is limited to that which is absolutely necessary and limited to a maximum of 19 cubic yards in public water.
- 13. The area limits will be staked in the field prior to construction.
- 14. The file shall receive written notice of the start date to allow inspection of the project during construction.

#### With Findings:

- 1. This is a minor impact project per Administrative Rule Wt 303.03(k), alteration of between 50 and 200 linear feet of shoreline.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. DES Staff conducted a field inspection of the proposed project on April 24, 2003.
- 6. During the meeting held on October 28, 2003, the DOT provided further explanation as to the need and limited the scope of work in the public water to that absolutely necessary.
- 7. The wetland areas to be impacted are limited to areas for repairs to the bridge, widening the shoulders for the installation of approach rails and the placement of stone to stabilize the new slopes. The proposed work will provide increased safety to the general public.
- 8. Overall the project involves minor environmental impacts.
- 9. On February 20, 2003, the DES received a letter from the Town of Wolfeboro Conservation Commission noting no objection to the project.

#### 2003-00429 CHICK, CONRAD

#### WAKEFIELD Great East Lake

#### Requested Action:

Construct a 114 sq ft perched beach, utilizing 5 cu yds of sand, with 22 linear ft of block wall adjacent to stairs accessing the water, and stabilize 43 linear ft of undercut shoreline with 9 cu yds of riprap on an average of 114 ft of frontage on Great East Lake, Wakefield.

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Conservation Commission/Staff Comments:

Con. Com. did not respond.

#### APPROVE PERMIT:

Construct a 114 sq ft perched beach, utilizing 5 cu yds of sand, with 22 linear ft of block wall adjacent to stairs accessing the water, and stabilize 43 linear ft of undercut shoreline with 9 cu yds of riprap on an average of 114 ft of frontage on Great East Lake, Wakefield.

- 1. All work shall be in accordance with plans by Civil Consultants dated October 1, 2003, revised on October 23, 2003, as received by the Department on November 13, 2003.
- 2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 4. All excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
- 5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be

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#### avoided.

- 7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 8. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
- 9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 574.26).
- 10. The steps installed for access to the water shall be located completely landward of the normal high water line.
- 11. No more than 5 cu yd of sand may be used and all sand shall be located above the normal high water line.
- 12. This permit shall be used only once, and does not allow for annual beach replenishment.
- 13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
- 15. Work shall be done during low water conditions.
- 16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

- 1. This is a minor impact project per Administrative Rule Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.02.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. DES Staff conducted a field inspection of the proposed project on September 9, 2003. Field inspection determined the project to be approvable.

#### 2003-01235 **REINI, BRUCE**

RINDGE Unnamed Wetland

#### Requested Action:

#### Conservation Commission/Staff Comments:

No comments submitted by the Conservation Commission as of 11/20/03.

#### APPROVE PERMIT:

Dredge and fill approximately 10,643 square feet of palustrine forested wetlands to provide access for a 7-Lot subdivision

- 1. All work shall be in accordance with plans by Burd Engineering revised October 13, 2003, as received by the Department on October 23, 2003.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
- 4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
- 5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 7. Work shall be done during low flow.
- 8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

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season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

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#### With Findings:

- 1. This is a minor impact project per Administrative Rule Wt 303.03(e), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

#### 2003-01295 HANOVER IMPROVEMENT SOCIETY

#### **HANOVER** Unnamed Wetland

#### Requested Action:

Dredge 11,408 square feet of emergent wetland to restore the ability of this basin area to remove sediment and pollutants from runoff prior to entering Storrs Pond.

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#### Conservation Commission/Staff Comments:

The conservation commission supports this application per their letter dated July 10, 2003 with the recommendation that a qualified professional provide oversight of the project.

#### APPROVE PERMIT:

Dredge 11,408 square feet of emergent wetland to restore the ability of this basin area to remove sediment and pollutants from runoff prior to entering Storrs Pond.

- 1. All work shall be in accordance with plans by Pathways Consultanting LLC dated May 21, 2003 and revised through September 29, 2003, as received by the Department on October 2, 2003.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. Work shall be done during drawdown.
- 4. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that work is conducted in accdance with the approved plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
- 5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
- 7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 10. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (Lythrum salicaria) and common reed

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(Phragmites australis) by measures agreed upon by the Wetlands Bureau if the species is found in the dredge areas during construction and during the early stages of vegetative establishment.

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11. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

#### With Findings:

- 1. This is a minor impact project per Administrative Rule Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The dredge of this area will improve the general water quality of Storrs Pond and greatly enhance the functionality of these wetlands to remove sediment and other pollutants from the runoff prior to entering the pond.
- 6. The conservation commission supports the application contingent upon condition number 4.

#### 2003-02014 HIGH BANK PROPERTIES LLC

#### **HANCOCK** Unnamed Wetland

#### Requested Action:

Fill approximately 6,545 square feet of palustrine forested and scrub-shrub wetlands to provide access to 16 building lots of a residential subdivision known as Open View. Restore approximately 1,000 sq ft of previously impacted wetlands on the property and have 49.95 acres for open space.

\*\*\*\*\*\*\*\*\*\*\*

#### Conservation Commission/Staff Comments:

No comments submitted by the Conservation Commission.

November 10, 2003, Conservation Commission submitted a decision not to except the proposed conservation easement. The Conservation Commission further requests continued monitoring of the mitigation sites and the open space easement by the DES Wetlands Bureau.

Inspection Date: 07/30/2003 by Jeffrey D Blecharczyk

#### APPROVE AMENDMENT:

Fill approximately 6,545 square feet of palustrine forested and scrub-shrub wetlands to provide access to 16 building lots of a residential subdivision known as Open View. Restore approximately 1,000 sq ft of previously impacted wetlands on the property and have 49.95 acres for open space.

- 1. All roadway construction shall be in accordance with plans by A.C. Engineering & Consulting dated August 18, 2003, as received by the Department on September 3, 2003, and Easement and Right-of-Way Plan, sheet 2 of 5 prepared by Doughty Surveying, Inc. revised November 13, 2003, as received by the Department on November 14, 2003.
- 2. This permit is contingent on approval by the DES Site Specific Program.
- 3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, ANN. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
- 5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.

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- 7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 8. Work shall be done during low flow.
- 9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 10. Proper headwalls shall be constructed within seven days of culvert installation.
- 11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

#### Wetland Restoration:

Decision Report

For Actions Taken

- 13. This permit is contingent upon the restoration of 1,000 sq. ft. of wetlands in accordance with plan description received September 3, 2003 and revised November 14, 2003.
- 14. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
- 15. The restoration area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
- 16. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
- 17. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
- 18. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one (1) growing season, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands
- 19. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
- 20. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (Lythrum salicaria) and common reed (Phragmites australis) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

- 1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal wetlands.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The subject property has pending enforcement requiring the restoration of wetlands impacted from previous logging operation.
- 6. DES Staff conducted a field inspection of the proposed project on July 30, 2003. Field inspection determined majority of impacted areas have been restored naturally.
- 7. The Department has required that three areas identified during the July 30, 2003, site inspection have further restoration as part of the permit approval process.
- 8. The Department finds the proposed impacts are below the proposed mitigation threshold of 10,000 square feet and therefore

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DES does not require mitigation for approval.

9. The applicant has adequately addressed the subdivision approval conditions described in Rule Wt 304.09(a).

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#### 2003-02039 NH DEPT OF TRANSPORTATION

#### **BOSCAWEN Glines Brook**

#### Requested Action:

Clean and line a 6 ft. x 6.5 ft. x 80 ft. box culvert and add class A stone at outlet impacting 736 sq. ft. of stream (316 sq. ft. temporary).

\*\*\*\*\*\*\*\*\*\*\*

#### APPROVE PERMIT:

Clean and line a 6 ft. x 6.5 ft. x 80 ft. box culvert and add class A stone at outlet impacting 736 sq. ft. of stream (316 sq. ft. temporary). NHDOT project #M211-2.

#### With Conditions:

- 1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated 8/27/03, as received by the Department on September 11, 2003 and erosion control plan received November 10, 2003.
- 2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
- 3. Unconfined work within the brook exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
- 4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
- 5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
- 6. Temporary cofferdams shall be entirely removed immediately following construction.
- 7. Construction equipment shall not be located within surface waters.
- 8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
- 10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
- 13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- 14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
- 15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
- 16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
- 17. The impacts associated with the temporary work shall be restored immediately following construction.

- 1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of stream and banks.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

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- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

#### 2003-02178 OWL STREET ASSOCIATES, LLC, THOMAS MULLEN

#### **CAMPTON** Unnamed Wetland

#### Requested Action:

Fill 7,420 square feet of palustrine emergent wetland and within an intermittent ditch to construct an access road that serves a 25-lot residential subdivision on 27 acres of land (Phase I of a multi-phase development on 197 acres of land).

#### Conservation Commission/Staff Comments:

\*In a memo dated 11/3/03, the Campton Conservation Commission and the Pemi River LAC stated that they have no concerns about the project except the lack of construction schedule.

#### APPROVE PERMIT:

Fill 7,420 square feet of palustrine emergent wetland and within an intermittent ditch to construct an access road that serves a 25-lot residential subdivision on 27 acres of land (Phase I of a multi-phase development on 197 acres of land).

#### With Conditions:

- 1. All work shall be in accordance with plans by Provan & Lorber, Inc. dated September 2003, as received by the Department on September 24, 2003.
- 2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
- 3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
- 4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
- 5. This permit is contingent on approval by the DES Site Specific Program.
- 6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
- 8. Work shall be done during low flow.
- 9. Proper headwalls shall be constructed over culvert ends within seven days of culvert installation.
- 10. Culvert outlets shall be properly rip rapped.
- 11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

- 1. This project is considered a Minor Project per NH Administrative Rule Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

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areas and environments under the department's jurisdiction per Wt 302.03.

#### 2003-02242 FRANCESTOWN, TOWN OF

#### FRANCESTOWN Unnamed Wetland

#### Requested Action:

Dredge and fill 3,946 square feet of palustrine forested wetlands to restore and enlarge an existing fire suppression source. Work includes construction of a berm with outlet protection, installation of dry hydrants and improved pull-off parking.

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#### Conservation Commission/Staff Comments:

No comments submitted from the Conservation Commission.

PRLAC states the project looks to be well planned. Only add the comment that is common from the PRLAC which is to provide significant sedimentation control beyond normal practice by covering exposed soil each day with hay mulch.

#### APPROVE PERMIT:

Dredge and fill 3,946 square feet of palustrine forested wetlands to restore and enlarge an existing fire suppression source. Work includes construction of a berm with outlet protection, installation of dry hydrants and improved pull-off parking.

#### With Conditions:

- 1. All work shall be in accordance with plans by Schauer Environmental Consultants, L.L.C. dated September 10, 2003, as received by the Department on October 2, 2003.
- 2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final dewatering and erosion control plans. Those plans shall detail the method of dewatering during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
- 3. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
- 4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 5. Work shall be done during low flow.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

- 1. This is a minor impact project per Administrative Rule Wt 303.03(e), construction of a fire pond with less than 20,000 sq ft of impacts to wetlands or surface waters which does not meet the criteria of Wt 303.04(p).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. DES has determined the project will provide significant sedimentation control of exposed soils.

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#### 2003-02315 KONING, RONALD

#### **ALTON** Lake Winnipesaukee

#### Requested Action:

Dredge to remove one rock from the end of an existing 3 ft 4 in x 39 ft 1 in dock on 112 ft of frontage on Lake Winnipesaukee, Alton

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Conservation Commission/Staff Comments:

Con Com signed Expedited Application.

#### APPROVE PERMIT:

Dredge to remove one rock from the end of an existing 3 ft 4 in x 39 ft 1 in dock on 112 ft of frontage on Lake Winnipesaukee, Alton.

#### With Conditions:

- 1. All work shall be in accordance with plans by Winnipesaukee Marine Construction revision dated November 7, 2003, as received by the Department on November 17, 2003.
- 2. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 3. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 5. The rock shall be removed from DES jurisdiction.
- 6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), dredge of less than 20 cu yd from public waters.

## 2003-02355 ROCHESTER, CITY OF

#### **ROCHESTER** Cocheo River

#### Requested Action:

#### Conservation Commission/Staff Comments:

In a letter to the NHDES Wetlands Bureau dated November 6, 2003, the Rochester Conservation Commission recommended approval of the project.

#### APPROVE PERMIT:

Dredge and fill approximately 790 square feet (36 linear feet) within the bank of the Cocheco River to remove an existing 15-inch diameter strormwater outfall pipe and install a 24-inch diameter pipe, headwall and stone outlet apron.

- 1. All work shall be in accordance with the Wetland Impact Plan (Sheet C2) and the Erosion Control Details (Sheet C5) by Norway Plains Associates, Inc. dated September 2003 and revised October 15, 2003, as received by the Department on October 20, 2003.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. Work shall be conducted during low flow conditions.
- 4. No machinery shall enter the water.

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- 5. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 6. Those areas of the riverbank disturbed to provide temporary construction access shall be regraded to original contours, seeded and stabilized immediately following completion of work.
- 7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 8. Proper headwalls shall be constructed within seven days of culvert installation.
- 9. A stone apron shall be installed at the culvert outlet to dissipate flow velocities and prevent scour and erosion.
- 10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

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- 11. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
- 12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

#### With Findings:

- 1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(l), as the project will disturb less than 200 linear feet of riverbank.
- 2. As a result of project activities, the location of the stormwater outfall pipe will be moved approximately 30 feet further from the Cocheco River, and stormwater conveyed by the outfall pipe will be treated prior to discharge to the river, thereby improving water quality.
- 3. In a letter to the DES Wetlands Bureau dated November 6, 2003, the Rochester Conservation Commission recommended approval of the project.
- 4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant, per Rule Wt 302.01.
- 5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
- 6. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

#### MINIMUM IMPACT PROJECT

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#### 2001-01581 BODENSTAFF, FRANS & MELISSA

#### **MEREDITH Unnamed Wetland**

#### Requested Action:

Approve name change to: James A. & Katahryn W. Miller, 12 Old Bristol Rd., New Hampton, NH 03256 per request received 8/21/2003.

\*\*\*\*\*\*\*\*\*\*

#### Conservation Commission/Staff Comments:

conservation commission recommends approval.

#### APPROVE NAME CHANGE:

Fill 1497 sq ft of wet meadow and place two 18 inch x 15 ft culverts for access to a single family lot. Retain 690 sq ft and the existing culvert to access a single family lot and restore 2245 sq ft back to forested wetland and wet meadow area.

#### With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors dated July 31, 2001, as received by the Department on August 6, 2001 and plans by Gove Environmental Services received by the Department December 11, 2001.

- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. This permit is contingent upon the restoration of 2245 sq. ft. of wetlands in accordance with plans received August 6, 2001 and December 11, 2001.

- 4. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland restoration site.
- 5. The permittee shall monitor the initial construction of the restoration area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. 6. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.
- 7. Wetland replication area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
- 8. Proper headwalls shall be constructed within seven days of culvert installation.
- 9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
- 10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

#### 2001-01697 COOK, DAVID

#### WASHINGTON Tributary To Highland Lake

## Requested Action:

Inspection Date: 10/09/2003 by Jeffrey D Blecharczyk

#### APPROVE PERMIT:

retain the repair and replacement of two culverts with associated dredge and fill for the installation

#### With Conditions:

- 1. All exposed soil areas that are in or adjacent to wetlands or surface waters, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
- 4. All activities on the property shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

# 2003-01342 BREWSTER ACADEMY WOLFEBORO Unnamed Wetland

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#### 11/17/2003 to 11/21/2003

Requested Action:

Dredge and fill 198 square feet to install a two culvert inlets and one rip-rap apron for the upgrade of a closed drainage system.

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Conservation Commission/Staff Comments:

The conservation commission has no objection to the project.

#### APPROVE PERMIT:

Dredge and fill 198 square feet to install a two culvert inlets and one rip-rap apron for the upgrade of a closed drainage system.

#### With Conditions:

- 1. All work shall be in accordance with plans by White Mountain Survey dated June 13, 2003 and revised through October 17, 2003, as received by the Department on October 20, 2003.
- 2. Work shall be done during low flow.
- 3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 4. The catch basins shall be monitored quarterly for the first year to determine a maintenance schedule and cleaned as appropriate.
- 4. Proper headwalls shall be constructed within seven days of culvert installation.
- 5. Culvert outlets shall be properly rip rapped.
- 6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- 8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. This permit shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that the "existing structure" was not previously permitted or grandfathered.

#### With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The applicant has provided a catch basin which will contain the sediment and trap oil deposits providing treatment of stormwater.
- 6. Culverts will be installed at grade or at the same elevation as the existing culverts.

#### 2003-01491 ABENAQUI COUNTY CLUB

#### RYE Unnamed Pond

## Requested Action:

Amend permit to read: Fill 675 square feet of wetlands in an existing pond and dredge 4,847 square feet of uplands in order to enlarge the existing pond. Project impacts total 5,522 square feet. \*\*\*\*\*\*\*\*\*\*\*

#### APPROVE AMENDMENT:

Amend permit to read: Fill 675 square feet of wetlands in an existing pond and dredge 4,847 square feet of uplands in order to

11/17/2003 to 11/21/2003

enlarge the existing pond. Project impacts total 5,522 square feet.

#### With Conditions:

1. REVISED CONDITION: All work shall be in accordance with plans by Ault, Clark & Associates, Ltd., with revisions by Abernaqui Country Club, as received by the Department on November 19, 2003.

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#### 2003-01498 RYE ADMINISTRATOR, TOWN OF

#### RYE Unnamed Wetland

#### Requested Action:

Impact 64 square feet of a stream bank for the constuction of a stormwater drainage outfall, and restore 16 square feet of filled wetlands on private property. Total project impacts total 80 square feet.

\*\*\*\*\*\*\*\*\*\*\*

#### APPROVE AFTER THE FACT:

Impact 64 square feet of a stream bank for the constuction of a stormwater drainage outfall, and restore 16 square feet of filled wetlands on private property. Total project impacts total 80 square feet.

#### With Conditions:

- 1. All work shall be in accordance with the plan by OEST Associates, Inc. dated August 2002, with revisions dated June 20, 2003, as received by DES on July 11, 2003.
- 2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet of nontidal wetlands.
- 2. The NH Natural Heritage Inventory (NHNHI) has record of two state threatened plant species within the project vicinity, Salt-loving spike-rush (Eleocharis halophila) and Small spike-rush (Eleocharis parvula). NHNHI also has record of one natual community of special concern within the project vicinity, Gulf of Maine Salt Marsh, and on vertebrate species of special concern, Virginia Rail (Rallus limicola).
- 3. DES review of this application finds that none of the NHNHI identified species or the natural community of concern are within the project area, and therefore were not impacted as a result of the project.
- 4. The Town of Rye has obtained written approvals from two of the three abutters whose property lines exist within twenty feet of the proposed construction.
- 5. Per Wt 304.16(b), DES waives the third abutter approval based on the fact that Town of Rye has restored the 16 square feet of wetlands to the condition in which they existed prior to the drainage work.
- 6. DES that this project would have been approvable if properly applied for prior to construction.

#### 2003-01600 BERGAMINI, DANIEL

#### **GRAFTON** Unnamed Wetland

#### Requested Action:

Dredge and fill 66 square feet and place a 22 foot x 12-inch culvert in a previously disturbed wetland for driveway access to a building lot.

\*\*\*\*\*\*\*\*\*\*

#### Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

11/24/2003

#### APPROVE PERMIT:

Dredge and fill 66 square feet and place a 22 foot x 12-inch culvert in a previously disturbed wetland for driveway access to a building lot.

#### With Conditions:

- 1. All work shall be in accordance with plans by In the Hole Designs, as received by the Department on October 3, 2003.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. Work shall be done during low flow.
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 5. Proper headwalls shall be constructed within seven days of culvert installation.
- 6. Culvert outlets shall be properly rip rapped.
- 7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

#### With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(f); Projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The proposed impacts are within 20 ft of the abutting property to the east.
- 5. This lot was purchased from the owner of map 6, lot 457, who installed a logging road in this location.
- 6. Photographs submitted with the application illustrate that the placement of the drive within the existing logging road is the least impacting alternative.
- 7. The applicant has demonstrated that this is the most reasonable alternative for the site in accordance with Rules Wt 302.03 and Wt 304.16.
- 8. The applicant has demonstrated that this project will not result in increased environmental impact.
- 9. The Department hereby waives Rule Wt 302.04(d)(4) based on findings above.

#### 2003-01840 ARVANITIS, PETER

#### **CANTERBURY** Unnamed Wetland

#### Requested Action:

Dredge and fill 1625 square feet of wetland and install a 24-inch x 78 foot culvert and fill 1300 square feet of man-made wetland for access and construction of an overflow parking facility to service NHIS.

#### Conservation Commission/Staff Comments:

The conservation commission did not comment on this project.

#### APPROVE PERMIT:

Dredge and fill 1625 square feet of wetland and install a 24-inch x 78 foot culvert and fill 1300 square feet of man-made wetland for access and construction of an overflow parking facility to service NHIS.

#### With Conditions:

1. All work shall be in accordance with plans by Robert Rook PE dated September 8, 2003, as received by the Department on September 11, 2003.

- 2. This permit is contingent on approval by the DES Site Specific Program.
- 3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
- 4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

- 5. Proper headwalls shall be constructed within seven days of culvert installation.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- 9. Work shall be done during low flow.

#### With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.
- 2. The applicant has provided a letter from the Department of Transportation stating that they will not permit the driveway in the lesser impacting alternative location.
- 3. The application was received On August 8, 2003 the last NHIS permit was received on August 10, 1998.
- 4. The mitigation proposed with the initial parking expansion of NHIS (Permit 1998-01442) greatly exceeds the current mitigation guidelines. DES is therefore not requesting mitigation on this permit.

#### 2003-02350 WRIGHT, RICHARD

#### **NEWBURY** Unnamed Stream

#### Requested Action:

Dredge and fill approximately 100 square feet of a seasonal stream channel and install (2) 18" x 20' culvert to provide access for forestry management practices

## \*\*\*\*\*\*\*\*\*\*\*\*\*\*

#### Conservation Commission/Staff Comments:

Conservation Commission reviewed the project on-site and recommends approval of this project.

#### APPROVE PERMIT:

Dredge and fill approximately 100 square feet of a seasonal stream channel and install (2) 18" x 20' culvert to provide access for forestry management practices

- 1. All work shall be in accordance with plans by the applicant, as received by the Department on October 20, 2003.
- 2. All work shall adhere to the standards of the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire" published by the NH Dept. of Resources & Economic Development (also available on the Internet at: www.nhdfl.com/info\_plan\_bureau/fi&p\_waterqualitybmps.htm)
- 3. Work shall be done during low flow.
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
- 6. No fill shall be done for lot development.
- 7. Any change in use to a non-forestry purpose will require further permitting by the DES Wetlands Bureau.
- 8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

#### 11/17/2003 to 11/21/2003

#### With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(g), installation of a culvert and associated fill to permit vehicular access for forestry management.

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- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

#### 2003-02439 WAUSAU PAPER OF NH, TOM BUSHEY

#### NORTHUMBERLAND Ammonoosuc & Connecticut Rivers

## Requested Action:

Repair approximately 50 linear feet of sheet pile retaining wall and stabilize the top of bank along the Connecticut River to protect an effluent pipe

\*\*\*\*\*\*\*\*\*\*\*

#### Conservation Commission/Staff Comments:

The CRJC suggests an appropriate riparian buffer be installed.

#### APPROVE PERMIT:

Repair approximately 50 linear feet of sheet pile retaining wall and stabilize the top of bank along the Connecticut River to protect an effluent pipe

#### With Conditions:

- 1. All work shall be in accordance with plans by Kleinschmidt dated October 15, 2003, as received by the Department on October 28, 2003.
- 2. Repair shall maintain existing size, location and configuration.
- 3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
- 5. There shall be no excavation or operation of construction equipment in flowing water.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

- 1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
- 2. The Department has determined the required work will not have an adverse impact on the environment.
- 3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

#### FORESTRY NOTIFICATION

Decision Report For Actions Taken

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**CLOWARD, SIGRID FRANCIS** 2003-02472

**WAKEFIELD Unnamed Stream** 

COMPLETE NOTIFICATION:

Wakefield Tax Map 79, Lot# 5

2003-02473 YANKEE FOREST, LLC, C/O WAGNER FOREST MGMT

**GORHAM Unnamed Stream** 

COMPLETE NOTIFICATION:

Gorham Tax Map R6 & R7, Lot# 2

2003-02495 **VIANDIER, STACEY & ERIC** 

ANDOVER Unnamed Stream

COMPLETE NOTIFICATION:

Andover Tax Map 23, Lot# 430,295 & 439,341

THE LEDGES AT NEWFOUND LAKE CONDO ASSOC 2003-02496

**HEBRON** 

COMPLETE NOTIFICATION:

Hebron Tax Map 20, Lot# 7

GREEN ACRE WOODLANDS INC 2003-02497

**CAMPTON** Unnamed Stream

COMPLETE NOTIFICATION:

Campton Tax Map 3, Lot# 1-1

2003-02498 **ORDWAY, MARILYN** 

**BARRINGTON** Unnamed Stream

COMPLETE NOTIFICATION:

Barrington Tax Map 2, Lot# 26

2003-02499 PROSPECT FOREST ENTERPRISES LLC, PETER FARRELL

**ALTON Unnamed Stream** 

COMPLETE NOTIFICATION:

Alton Tax Map 5, Lot# 5A

#### 2003-02500 COVIELLO, ANNEMARIE/JAMES

**BELMONT** Unnamed Stream

COMPLETE NOTIFICATION:

Belmont Tax Map 212, Lot# 67

2003-02501 SALISBURY, JESSIE

LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Lyndeboro Tax Map 4, Lot# 47

2003-02502 DRED, BLAIR STATE FOREST

**CAMPTON** Unnamed Stream

COMPLETE NOTIFICATION:

Campton Blair State Forest

2003-02505 TR DILLON LOGGING

**BERLIN** Unnamed Stream

COMPLETE NOTIFICATION:

Berlin Tax Map 140, Lot# 13

2003-02506 DRED, FOX STATE FOREST

HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Hillsboro Tax Map 9, Lot# 2

2003-02508 SPICER, DAVID

FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:

Fitzwilliam Tax Map 10 & 11, Lot# 83 & 16

2003-02514 **DUMOINE FARMS, C/O WAGNER FOREST MGMT** 

**NEW BOSTON** Unnamed Stream

COMPLETE NOTIFICATION:

New Boston Tax Map 9, Lot# 35

2003-02549 BARRY, BRUCE

**KEENE Unnamed Stream** 

COMPLETE NOTIFICATION:

Keene Tax Map 916, Lot# 22

2003-02573 ROBINSON, JOHN & OLGA

**MEREDITH Unnamed Stream** 

COMPLETE NOTIFICATION:

Meredith Tax Map R24, Lot# 1

2003-02574 **BACHELDER, BRENT** 

**EPSOM** Unnamed Stream

COMPLETE NOTIFICATION:

Epsom Tax Map R1, Lot# 10

2003-02575 **BOLDUC, DAMON** 

**EFFINGHAM** Unnamed Stream

COMPLETE NOTIFICATION:

Effingham Tax Map 13, Lot# 24-4 & 24-5

2003-02576 CHOCORUA FORESTLANDS, LLC, JEFF COOMBS

TUFTONBORO Unnamed Stream

COMPLETE NOTIFICATION:

Tuftonboro Tax Map 20, Lot# 1

2003-02577 **DIVISION OF FORESTS & LANDS** 

**DUNBARTON** Unnamed Stream

COMPLETE NOTIFICATION:

Dunbarton Tax Map E2, Lot# 1-1

EXPEDITED MINIMUM

\*\*\*\*\*\*\*\*\*\*\*\*\*\*

2003-01198 WINDJAMMER REALTY TRUST, C/O CHARLIE KELLAR

MEREDITH Lake Winnipesaukee

Requested Action:

Amend permit #2003-01198, approved October 10, 2003, to include a maintenance dredge.

\*\*\*\*\*\*\*\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed application

#### APPROVE AMENDMENT:

Amend Permit to Read:

Maintenance dredge 73.5 cu yds from 1,800 sq ft of lakebed and reset 6 rocks on the end of a 75 linear ft breakwater in an "L" configuration, on an average of 117 ft of frontage on Meredith Bay, Lake Winnipesaukee.

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#### With Conditions:

- 1. All work shall be in accordance with plans by Winnipesaukee Marine Construction dated June 2, 2003, revised on October 7, 2003, as received by the Department on October 7, 2003.
- 2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
- 6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
- 7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided
- 9. Repair shall maintain existing size, location and configuration.
- 10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
- 11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With the added Conditions:

- 12. All work shall be in accordance with plans by Winnipesaukee Marine Construction dated November 14, 2003, revised on November 18, 2003, as received by the Department on November 18, 2003.
- 13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 14. No dredging below elevation 500.32.

## With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

#### 2003-01736 CROWLEY, WILLIAM

#### **LOUDON** Unnamed Pond

#### Requested Action:

Temporarily impact 40 square feet along 5 linear feet of the bank of a man made pond for the installation of a dry hydrant.

#### Conservation Commission/Staff Comments:

The Loudon Conservation Commission signed this minimum impact application.

#### APPROVE PERMIT:

Temporarily impact 40 square feet along 5 linear feet of the bank of a man made pond for the installation of a dry hydrant.

#### With Conditions:

- 1. All work shall be in accordance with plans by David Krause dated September 30, 2003, as received by the Department on October 14, 2003; and Dry Hydrant Specifications received by the Department on October 14, 2003.
- 2. Work shall be done in the dry.
- 3. Area shall be regraded to original contours following completion of work.
- 4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
- 6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
- 7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

#### With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(w), excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.
- 2. The applicant has provided a letter from the Deputy Fire Chief stating the dry hydrant is required by the planning board.
- 3. The applicant has provided a letter of agreement with William Leombrono Sr, Owner of Tax Map 50, lot 4 agreeing to the proposed dry hydrant.

#### 2003-02319 TREFETHEN, DANIEL

#### **NEWINGTON** Tidal Buffer Zone

#### Requested Action:

Impact 2,675 square feet of developed upland tidal buffer zone for the construction of an attached garage to the existing home, installation of a new septic tank, grading improvements to correct stormwater runoff problems around the existing home, and associated temporary impacts.

#### \*\*\*\*\*\*\*\*\*\*\*\*

#### APPROVE PERMIT:

Impact 2,675 square feet of developed upland tidal buffer zone for the construction of an attached garage to the existing home, installation of a new septic tank, grading improvements to correct stormwater runoff problems around the existing home, and associated temporary impacts.

- 1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated September 2003, with revisions dated September 10, 2003, as received by the Department on October 16, 2003.
- 2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

- 3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
- 4. This permit is contingent on approval by the DES Site Specific Program.
- 5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

- 6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
- 7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

#### With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03.
- 4. All structure construction will take place landward of the existing house. Proposed site grading and relocation of the septic system and leach field are considered improvements from the present condition of the site, therefore making the property more nearly conforming according to RSA 483-B, the Comprehensive Shoreland Protection Act.

#### **2003-02351 STEELE, HELEN**

## PORTSMOUTH Piscataqua River

#### Requested Action:

Amend permit to read: impact 190 square feet of the tidal buffer zone to remove and replace an existing deteriorated wooden retaining wall with a stone rip rap retaining wall within the same footprint.

\*\*\*\*\*\*\*\*\*\*\*

Inspection Date: 10/15/2003 by Christina Altimari

#### APPROVE AMENDMENT:

Amend permit to read: impact 190 square feet of the tidal buffer zone to remove and replace an existing deteriorated wooden retaining wall with a stone rip rap retaining wall within the same footprint.

#### With Conditions:

1. REVISED CONDITION: All work shall be in accordance with plans by Helen Steele, dated October 14, 2003, with revisions dated November 19, 2003, as received by the Department on November 19, 2003.

#### 2003-02357 CANDAGE, ANTHONY & NICOLE

#### **MEREDITH** Lake Winnipesaukee

#### Requested Action:

Construct a 900 sq ft perched beach with 10 cy of sand in the same location as an existing sloped beach on 505 ft of frontage on Lake Winnipesaukee, Meredith.

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#### APPROVE PERMIT:

Construct a 900 sq ft perched beach with 10 cy of sand in the same location as an existing sloped beach on 505 ft of frontage on Lake Winnipesaukee, Meredith.

- 1. All work shall be in accordance with plans by Matthew Wood, as received by the Department on October 20, 2003.
- 2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

- 3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
- 4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.

- 5. The steps installed for access to the water shall be located completely landward of the normal high water line.
- 6. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
- 7. This permit shall be used only once, and does not allow for annual beach replenishment.
- 8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
- 10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d).

#### 2003-02372 CERSOSIMO INDUSTRIES INC

#### **KEENE Unnamed Wetland**

#### Requested Action:

#### APPROVE PERMIT:

Temporarily impact 100 square feet of an intermittent stream channel to install a forced main to service a single family residence

#### With Conditions:

- 1. All work shall be in accordance with plans by SVE Associates dated August 28, 2003, as received by the Department on October 23, 2003, and a letter dated September 2, 2003, by SVE Associates, received by the Department on September 4, 2003.
- 2. There shall be no further alterations of wetlands for Lot 3.4 for lot development, driveways, culverts, or for septic setback.
- 3. Work shall be done during low flow.
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
- 7. Area shall be regraded to original contours following completion of work.
- 8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(n), temporary alteration of less than 50 linear feet of an intermittent stream channel.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. DES Wetlands Permit #2001-02448, conditioned no further impacts for driveways, culverts or lot development.
- 6. The Department has determined the temporary impacts are within the original bounds of Permit #2001-02448.

#### **2003-02373 ROBERTS, ROBERT**

#### **GRANTHAM** Unnamed Wetland

#### Requested Action:

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#### Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application.

#### APPROVE PERMIT:

Dredge and fill 1100 square feet and install two 15-inch x 20 foot culverts for access to a proposed single family residence.

#### With Conditions:

- 1. All work shall be in accordance with plans by Keyland Enterprises dated December 4, 2001, and revised through October 15, 2003 as received by the Department on October 23, 2003.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
- 4. Work shall be done during no flow.
- 5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
- 6. No fill shall be done for lot development.
- 7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
- 10. Proper headwalls shall be constructed within seven days of culvert installation.
- 11. Culvert outlets shall be properly rip rapped.
- 12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

#### With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f); projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

#### 2003-02397 DAWSON, JONATHAN

**DEERING Deering Reservoir** 

#### Requested Action:

Remove and replace an existing permanent 3 ft by 20 ft dock on Deering Reservoir, Deering.

#### APPROVE PERMIT:

Remove and replace an existing permanent 3 ft by 20 ft dock on Deering Reservoir, Deering.

40 11/24/2003

- 1. All work shall be in accordance with plans by Eric Jarvis, as received by the Department on October 27, 2003.
- 2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 3. Repair shall maintain existing size, location and configuration.
- 4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
- 5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
- 6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
- 8. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

#### 2003-02401 JAYNES, RONALD & PAMELA

**BELMONT Silver Lake** 

#### 2003-02403 COTNOIR, DENIS & RACHEL

SALISBURY Unnamed Wetland

#### Requested Action:

Dredge and fill approximately 2,589 square feet of palustrine emergent wetlands and install a 38' x 24" culvert to provide access to a single family residence

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#### APPROVE PERMIT:

Dredge and fill approximately 2,589 square feet of palustrine emergent wetlands and install a 38' x 24" culvert to provide access to a single family residence

- 1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated September 19, 2003, as received by the Department on October 24, 2003.
- 2. Work shall be done during low flow.
- 3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
- 5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
- 7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
- 8. No fill shall be done for lot development.
- 9. No fill shall take place in Atlantic white cedar swamps.

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10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

#### With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to provide access to a single family residence.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

# 2003-02426 BECK, BRUCE WOLFEBORO Lake Winnipesaukee

#### Requested Action:

#### Conservation Commission/Staff Comments:

Con. Com. signed application.

#### APPROVE PERMIT:

Repair in-kind (3) existing 6 ft x 29 ft 10 in piers, including (10) tie posts, attached to an existing 6 ft x 36 ft walkway cantilevered off an existing 87 linear ft "L" shaped breakwater on an average of 340 ft of frontage on Wolfeboro Neck, Lake Winnipesaukee.

#### With Conditions:

- 1. All work shall be in accordance with plans by Winnipesaukee Marine Construction dated October 13, 2003, as received by the Department on October 28, 2003.
- 2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
- 4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 5. Pier width may be reduced to allow a maximum of 11 ft 11 in wide slip space for safe docking. 6. Repair shall maintain existing size, location and configuration.
- 7. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
- 8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
- 10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
- 11. Dredged or removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
- 12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

11/24/2003

#### 2003-02427 FULLER, HENRY NORTH HAMPTON Unnamed Wetland

#### Requested Action:

Fill 1,600 square feet of nontidal wetlands for the construction of a driveway crossing to access buildable uplands within a proposed 2-lot subdivision.

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#### APPROVE PERMIT:

Fill 1,600 square feet of nontidal wetlands for the construction of a driveway crossing to access buildable uplands within a proposed 2-lot subdivision.

#### With Conditions:

- 1. All work shall be in accordance with plans by E.J. Cote & Associates, Inc. dated August 1, 2003, as received by the Department on October 28, 2003.
- 2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
- 4. This permit is contingent on subdivision approval by the DES Subsurface Systems Bureau.
- 5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
- 6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
- 7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
- 8. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
- 9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

#### With Findings:

- 1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for a single-family building lot.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
- 4. The NH Natural Heritage Inventory (NHNHI) has record of one state threatened plant species within the project vicinity, Slender Blue Flag (Iris prismatica).
- 5. DES review of this application finds that the mapped location of the NHNHI identified plant species exists beyond the limits of the property.
- 6. The second access is approvable based on the fact that the parcel is to be subdivided and the newly subdivided portion will require the wetlands crossing in order to access buildable uplands on the property.

#### **2003-02444 MOORE, STEVE**

#### **ALLENSTOWN** Unnamed Wetland

#### Requested Action:

Dredge and fill 1,386 sq. ft. of palustrine scrub-shrub/ emergent wetlands to construct a driveway/ culvert crossing to access a single family house lot on a 3.4 acre parcel of land.

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#### APPROVE PERMIT:

Dredge and fill 1,386 sq. ft. of palustrine scrub-shrub/ emergent wetlands to construct a driveway/ culvert crossing to access a single family house lot on a 3.4 acre parcel of land.

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#### With Conditions:

- 1. All work shall be in accordance with plans by Michael Yergeau dated 10-23-03, as received by the Department on October 30, 2003.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
- 5. Proper headwalls shall be constructed within seven days of culvert installation.
- 6. Culvert outlets shall be properly rip rapped.
- 7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

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2003-02445 NH DEPT OF TRANSPORTATION

STARK Ammonoosuc River

COMPLETE NOTIFICATION:

Stark DOT ROW

2003-02504 CANNON, WINTHROP

TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:

Tamworth Tax Map/Lot# 402/2, 403/14 & 23, 406/40 & 62

2003-02550 THIBEAULT CORP

**HOLLIS** Unnamed Stream

COMPLETE NOTIFICATION:

Hollis Tax Map 24, Lot# 18 & 21

#### LAKES-SEASONAL DOCK NOTIF

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2003-02608 TROY, TOWN OF

TROY Sand Dam

COMPLETE NOTIFICATION:

Troy Tax Map 17, Lot# 13 Sand Dam

2003-02609

LONG, PAUL

**HAMPSTEAD** Island Pond

COMPLETE NOTIFICATION:

Hampstead Tax Map 4, Lot# 73 Island Pond

2003-02610

**MACDONALD, SCOTT & CHRIS** 

**ENFIELD Mascoma Lake** 

COMPLETE NOTIFICATION:

Enfield Tax Map 24, Lot# 15 Mascoma Lake

2003-02611

HANSSEN, STEPHEN & DIANE

WASHINGTON Island Pond

COMPLETE NOTIFICATION:

Washington Tax Map 12, Lot# 155-1

ROADWAY MAINTENANCE NOTIF

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2003-02606 LACONIA, DEPT OF PUBLIC WORKS

**LACONIA** Drainage Pipe

2003-02607

NH DEPT OF TRANSPORTATION, DISTRICT ONE

LISBON Ditch